

State of Arizona  
Senate  
Forty-seventh Legislature  
Second Regular Session  
2006

# SENATE BILL 1044

AN ACT

AMENDING SECTION 9-511.01, ARIZONA REVISED STATUTES; RELATING TO WATER AND WASTEWATER SERVICE RATES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 9-511.01, Arizona Revised Statutes, is amended to  
3 read:

4 9-511.01. Water and wastewater business; rates; procedures

5 A. A municipality engaging in a domestic water or wastewater business  
6 shall not increase any water or wastewater rate or rate component, fee or  
7 service charge without complying with the following:

8 1. Prepare a written report or supply data supporting the increased  
9 rate or rate component, fee or service charge. A copy of the report shall be  
10 made available to the public by filing a copy in the office of the clerk of  
11 the municipality governing board at least thirty days ~~prior to~~ BEFORE the  
12 public hearing described in paragraph 2 ~~of this subsection~~.

13 2. Adopt a notice of intention by motion at a regular council meeting  
14 to increase water or wastewater rates or rate components, ~~fee~~ FEES or service  
15 ~~charge~~ CHARGES and set a date for a public hearing on the proposed increase  
16 ~~which~~ THAT shall be held not less than thirty days after adoption of the  
17 notice of intention. A copy of the notice of intention showing the date,  
18 time and place of ~~such~~ THE hearing shall be published one time in a newspaper  
19 of general circulation within the boundaries of the municipality not less  
20 than twenty days ~~prior to~~ BEFORE the public hearing date.

21 B. After holding the public hearing, the governing body may adopt, by  
22 ordinance or resolution, the proposed rate or rate component, fee or service  
23 charge increase or any lesser increase.

24 C. Notwithstanding section 19-142, subsection B, the increased rate or  
25 rate component, fee or service charge shall become effective thirty days  
26 after adoption of the ordinance or resolution.

27 D. ANY PROPOSED WATER OR WASTEWATER RATE OR RATE COMPONENT, FEE OR  
28 SERVICE CHARGE ADJUSTMENT OR INCREASE SHALL BE JUST AND REASONABLE.

29 E. RATES AND CHARGES DEMANDED OR RECEIVED BY MUNICIPALITIES FOR WATER  
30 AND WASTEWATER SERVICE SHALL BE JUST AND REASONABLE. EVERY UNJUST OR  
31 UNREASONABLE RATE OR CHARGE DEMANDED OR RECEIVED BY A MUNICIPALITY IS  
32 PROHIBITED AND UNLAWFUL.